

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

JUL 22 2014

SEAN F. McAVOY, CLERK  
DEPUTY  
YAKIMA, WASHINGTON

UNITED STATES DISTRICT  
FOR THE EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JON D. LANTIS,

Defendant.

1:14-CR-2021-TOR

Preliminary Order of Forfeiture

IT IS HEREBY ORDERED THAT:

As the result of the guilty plea to Count 1 of the Information Superseding Indictment for which the Government sought forfeiture pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), Defendant, JON D. LANTIS, shall forfeit to the United States any and all firearms and ammunition facilitating or involved in the commission of the offense, Possession of a Stolen Firearm.

The Court has determined based upon the Defendant's plea agreement that the assets listed herein are subject to forfeiture pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), and that the Government has established the requisite nexus between such assets and such offense: (a) a Calwestco, Model Jennings, J-22, .22LR caliber, bearing serial number 653808; and, (b) all ammunition, magazines, and other firearm related items seized when Defendant was arrested on January 16, 2014.

1 Upon the entry of this Order, the United States Attorney General (or a  
2 designee) is authorized to seize the above-listed assets subject to forfeiture,  
3 whether held by the defendant or by a third party, and to conduct any discovery  
4 proper in identifying, locating or disposing of the property subject to forfeiture, in  
5 accordance with 21 U.S.C. § 853, as incorporated by 18 U.S.C. § 924(d) and 28  
6 U.S.C. § 2461(c), and Fed. R. Crim. P. 32.2(b)(3).

7 Upon entry of this Order, the United States is authorized to commence any  
8 applicable proceeding to comply with statutes governing third party rights,  
9 including giving notice of this Order.

10 Pursuant to 21 U.S.C. § 853(n), as incorporated by 18 U.S.C. § 924(d) and  
11 28 U.S.C. § 2461(c), the United States will post notice of this order on the official  
12 government internet site ([www.forfeiture.gov](http://www.forfeiture.gov)) for at least 30 consecutive days.  
13 The United States may also, to the extent practicable, provide direct written notice  
14 to any person known to have alleged an interest in the property that is the subject  
15 of the Preliminary Order of Forfeiture, as a substitute for posted internet notice as  
16 to those persons so notified.

17 Any person, other than the above-named Defendant, asserting a legal interest  
18 in the above-listed property may, within thirty (30) days of the final posting of  
19 notice, or receipt of notice, whichever is earlier, petition the court for a hearing  
20 without a jury to adjudicate the validity of his alleged interest in the above-listed  
21 property, and for an amendment of the order of forfeiture, pursuant to Fed. R.  
22 Crim. P. 32.2(6) and 21 U.S.C. § 853(n), as incorporated by 18 U.S.C. § 924(d)  
23 and 28 U.S.C. § 2461(c).

24 Any petition filed by a third party asserting an interest in the above-listed  
25 property shall be signed by the petitioner under penalty of perjury and shall set  
26 forth the nature and extent of the petitioner's right, title, or interest in said  
27 property, the time and circumstances of the petitioner's acquisition of the right,  
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1 title or interest in said property, and any additional facts supporting the  
2 petitioner's claim and the relief sought.

3 After the disposition of any motion filed under Fed. R. Crim. P. 32.2(c) and  
4 before a hearing on the petition, discovery may be conducted in accordance with  
5 the Federal Rules of Civil Procedure upon a showing that such discovery is  
6 necessary or desirable to resolve factual issues.

7 The United States shall have clear title to the above-listed property following  
8 the Court's disposition of all third-party interests, or, if none, following the  
9 expiration of the period provided 21 U.S.C. § 853(n)(2), as incorporated by 18  
10 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), for the filing of third party petitions.

11 Pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B), this Preliminary Order  
12 of Forfeiture is final as to the Defendant at the time of sentencing, and is made  
13 part of the sentence and included in the judgment.

14 The Court shall retain jurisdiction to enforce this Order, and to amend it as  
15 necessary, pursuant to Fed. R. Crim. P. 32.2(e).

16 DATED this 22<sup>nd</sup> day of July, 2014.

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20 Thomas O. Rice  
21 United States District Judge  
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